

**LOUISVILLE LOCAL LICENSING AUTHORITY
RESOLUTION NO 1
SERIES 2019**

**A RESOLUTION ADOPTION A LOTTERY PROCEDURE FOR RETAIL MARIJUANA
STORE AND MEDICAL MARIJUANA CENTER LICENSES**

WHEREAS, Sections 5 10 040 and 5 11 040 of the Louisville Municipal Code authorize the Louisville Local Licensing Authority ("Licensing Authority") to promulgate rules and regulations for its administration of the City's marijuana business licensing requirements; and

WHEREAS, pursuant to such authority, the Licensing Authority previously adopted Rules of Procedure for Retail Marijuana Establishments and Medical Marijuana Businesses ("Rules of Procedure"); and

WHEREAS, on February 5, 2019, the Louisville City Council adopted Ordinance No 1769, Series 2019, which among other things, increased the cap on marijuana businesses allowed in the City from four to a total of six retail marijuana stores and medical marijuana centers, and

WHEREAS, Ordinance No 1769 also added a 1,500 foot spacing requirement between retail marijuana stores and medical marijuana centers, and

WHEREAS, Ordinance No 1769 becomes effective on March 19, 2019 and the City has already received several inquiries from people interested in applying for the three available retail marijuana store and medical marijuana center licenses; and

WHEREAS, in order to ensure that potential applicants have an equitable opportunity to apply for the available licenses, the Licensing Authority desires to amend the Rules of Procedure to adopt a lottery procedure for those persons seeking to acquire one of the three available local licenses for retail marijuana stores and medical marijuana centers.

**NOW, THEREFORE, BE IT RESOLVED BY THE LOCAL LICENSING
AUTHORITY OF THE CITY OF LOUISVILLE, COLORADO•**

Section 1 The Rules of Procedure for Retail Marijuana Establishments and Medical Marijuana Businesses are hereby amended by the addition of a new Rule 3 1 to read as follows.

**RULE 3.1 RETAIL MARIJUANA STORE AND MEDICAL MARIJUANA CENTER
LICENSE LOTTERY**

- A. All registrants must complete a Retail Marijuana Store/Medical Marijuana Center Lottery Registration Form available from the Office of the City Clerk, 749 Main Street, Louisville, CO, 80027 and on the City's website (<http://www.louisvilleco.gov/>).

Registration forms shall be submitted to the Deputy City Clerk at 749 Main Street, Louisville, CO, 80027 or via email to CarolH@LouisvilleCO.gov

- B. Registrations will be accepted from **March 1, 2019 to April 15, 2019**. No registration forms shall be accepted after 5:00 p.m. on April 15, 2019. Only complete registrations shall be accepted. A complete registration shall include all the pre-qualification materials set forth below. The Secretary to the Licensing Authority (the "Secretary") shall be responsible for determining whether a registration is complete.
- C. In addition to completing the Lottery Registration Form, each registrant shall meet the City's pre-qualification requirements, which require
- a. The registrant shall submit proof that it has or will have lawful possession of the premises proposed for the retail marijuana store or medical marijuana center, which proof may consist of a deed, a lease, a real estate contract contingent upon successful licensing; or a letter of intent by the owner of the premises indicating an intent to lease the premises to the registrant contingent upon successful licensing.
 - b. The location proposed for licensing by the registrant shall comply with all applicable City zoning ordinances and the location restrictions set forth in Sections 5 10 and 5 11 of the Louisville Municipal Code
 - c. Lottery registration applications and the required pre-qualification materials may not be amended or otherwise supplemented once submitted.
 - d. Those registrants not deemed pre-qualified shall be notified in writing by the Secretary
 - e. Only one entry per proposed retail marijuana store or medical marijuana center shall be accepted.
- D. A random drawing of all entries meeting the pre-qualification requirements set forth above will be held by the City in the Council Chambers at Louisville City Hall, 749 Main Street, Louisville, CO, 80027 on a date to be determined by the Secretary. Registrants need not be present during the drawing. Up to ten (10) potential applicants will be selected and assigned a number from one to ten in the order they are drawn from first to last. The City will notify those selected in writing within two (2) business days by email at the email address set forth on the lottery registration form.
- E. The first three registrants selected shall have the opportunity to apply for a license to operate a retail marijuana store or medical marijuana center. Should a selected registrant withdraw or be denied a license or not acquire a license within the specified time set forth

herein, the next selected pre-qualified registrant shall be considered. Should one of the selected registrants be for a location that is within 1,500 feet of one of the registrants selected before it, said registrant shall be given sixty (60) days from the date of selection to find a premises that complies with the 1,500 feet distance requirement and submit proof of lawful possession as provided in Section C(a). Should the registrant fail to submit such proof within sixty (60) days, the next pre-qualified registrant shall be considered.

F. The other registrants chosen shall, in the order selected, be placed on a waiting list. Registrants may remain on the waiting list for up to twelve (12) months from the date of the initial selection after which the list shall expire. Upon expiration of the waiting list, applications shall be accepted on a first come basis.

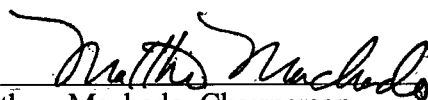
G. REGISTRANTS ARE PROHIBITED FROM SELLING, TRANSFERRING, ASSIGNING OR OTHERWISE CONVEYING THEIR ENTRY OR ANY LOTTERY OR WAITING LIST POSITION

H. Selected registrants must obtain all required State and local licenses within six (6) months from their date of selection. Upon written request, the Licensing Authority may, for "good cause," as determined solely within the Licensing Authority's discretion, grant an applicant one extension not to exceed ninety (90) days.


I. SELECTION OF A REGISTRANT IN THE LOTTERY SHALL NOT BE CONSTRUED TO CREATE ANY RIGHT OR ENTITLEMENT TO LICENSING BY THE CITY AND SELECTED REGISTRANTS REMAIN SUBJECT TO ALL REQUIREMENTS IN STATE LAW AND THE LOUISVILLE MUNICIPAL CODE.

Section 2. This Resolution shall be effective upon adoption. The Secretary is hereby authorized to perform all acts necessary to effectuate the rules set forth herein.

INTRODUCED, READ, and ADOPTED this 25th day of February, 2019


Matthew Machado, Chairperson

ATTEST


Carol Hanson, Authority Secretary